

IN THE SUPREME COURT OF THE STATE OF NEVADA

ANTIONE MATEUR JEAN,
Petitioner,

vs.

THE EIGHTH JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA,
IN AND FOR THE COUNTY OF
CLARK, THE HONORABLE KATHY A.
HARDCASTLE, DISTRICT JUDGE,

Respondents,

and

CLARK COUNTY DISTRICT
ATTORNEY,
Real Party in Interest.

No. 47765

FILED

SEP 18 2006

JANETTE M. BLOOM
CLERK OF SUPREME COURT
BY *J. Richards*
CHIEF DEPUTY CLERK

ORDER DENYING PETITION

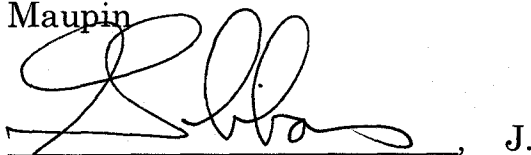
This is a proper person petition for a writ of mandamus. Petitioner challenges the validity of the judgment of conviction and sentence. We have reviewed the documents before this court, and we

conclude that our intervention is not warranted.¹ Accordingly, we

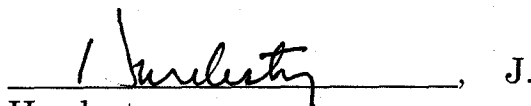
ORDER the petition DENIED.

 J.

Maupin

 J.

Gibbons

 J.

Hardesty

¹See NRS 34.160; NRS 34.170. A challenge to the validity of the judgment of conviction and sentence should be raised in a post-conviction petition for a writ of habeas corpus filed in the district court in the first instance. See NRS 34.724; NRS 34.738. We express no opinion as to whether petitioner could satisfy the procedural requirements of NRS chapter 34. Further, petitioner may challenge his sentence on limited due process grounds by way of a motion to modify the sentence. See Edwards v. State, 112 Nev. 704, 918 P.2d 321 (1996). Again, we express no opinion as to whether petitioner could satisfy the requirements of Edwards. If petitioner believes that the sentence imposed in district court case number C183564 is preventing the spirit of the plea agreement in case number C183727 from being fulfilled, he should designate both cases in any action he takes in order to ensure that the district court will have both cases before it for review.

cc: Hon. Kathy A. Hardcastle, District Judge
Antione Mateur Jean
Attorney General George Chanos/Carson City
Clark County District Attorney David J. Roger
Clark County Clerk